

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Raymond Wray, individually and as class  
representative of others similarly situated,

Plaintiff,

v.

CitiMortgage, Inc.,

Defendant.

Civil Action No.: 3:12-3628-CMC

**MOTION TO PROVISIONALLY  
CERTIFY CLASS, APPOINT CLASS  
COUNSEL, AND PETITION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT  
AND PROPOSED CLASS NOTICE**

Plaintiff Raymond Wray (“Plaintiff,” “SSG Wray,” or “Wray”) and Defendant CitiMortgage, Inc. (“CitiMortgage” or “Defendant”) have reached an agreement resolving all claims in this action on a class-wide basis. Accordingly, Wray, individually and as class representative of others similarly situated, respectfully moves for:

- (1) Provisional certification of a Settlement Class pursuant to Fed. R. Civ. P. 23(a) and (b)(3);
- (2) Appointment of Raymond Wray as the Class Representative for the Settlement Class and appointment of Richard A. Harpootlian, P.A., as Class Counsel pursuant to Fed. R. Civ. P. 23(g);
- (3) Preliminary approval of the parties’ settlement agreement (the “Wray Agreement”) pursuant to Fed. R. Civ. P. 23(e);
- (4) Approval of the Notice of Class Action and Proposed Settlement (the “Class Notice” or “Proposed Notice”), attached as Exhibit D to the Wray Agreement; and

- (5) Approval of the Notice of Non-Eligibility and Notice of Eligibility, attached as Exhibits E and F, respectively, to the Wray Agreement.

The proposed settlement agreement reached by the parties, the relief sought here, and the grounds for granting this motion are described in Wray's memorandum of law in support of this motion.

As set forth more fully in that contemporaneously filed memorandum, this motion should be granted because the benefits and relief provided by the parties' proposed settlement fairly, meaningfully and adequately resolves the claims of the Settlement Class Members asserted in this action, and are in the best interests of the Class.

Accordingly, Plaintiff respectfully requests that the Court grant this motion and order the relief sought here.

Respectfully submitted,

/s/Richard A. Harpootlian  
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**Attorneys for the Plaintiff and Proposed Plaintiff Class**

March 3, 2015  
Columbia, South Carolina